

Monte J. White & Associates, PC
Monte J. White
1106 Brook Ave, Hamilton Place
Wichita Falls, TX 76301
(940)723-0099
(940)723-0096 FAX

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

| | |
|---------------------|----------------------------|
| IN RE: | § CASE NO. 14-70009-hdh-13 |
| | § |
| Cynthia Ruth Barton | § |
| | § JUDGE HARLIN D. HALE |
| | § |
| | § HEARING DATE: 8/20/2014 |
| DEBTOR | § HEARING TIME: 10:00 A.M. |

NOTICE OF HEARING, PRE-HEARING CONFERENCE
AND ATTACHED MODIFICATION OF PLAN AFTER CONFIRMATION

NOTICE OF HEARING

On 8/20/2014, which is at least twenty-eight (28) days from the date of service hereof, at 10:00 o'clock A.M. a HEARING on the above and foregoing "Modification of Plan After Confirmation" will be held before the Bankruptcy Judge in Room 208, U.S. Courthouse, 10TH AND LAMAR Street, WICHITA FALLS, Texas. Creditors are not required to attend unless they have objections to the Modification.

NOTICE OF PRE-HEARING CONFERENCE

A PRE-HEARING CONFERENCE will be held by the Trustee at 8:30 o'clock A.M. prior to the above hearing time at the following location 10TH AND LAMAR STREET, WICHITA FALLS, TEXAS. Hearings on Motions to Modify Plans with objections not resolved at the PRE-HEARING CONFERENCE will be heard by the Court at the scheduled Hearing time.

NOTICE is hereby given that pursuant to 11 USC 1329 the attached "Modification of Plan" dated 06/25/2014, will be approved by the Court as the Debtor(s) Modified Chapter 13 Plan Unless a party in interest files a written "Objection to the Modification" within twenty-one (21) days of service hereof, and the Debtor has made any subsequent payments required under the Modified Plan. An "Objection to Modification" shall be made in writing to the following: U.S. Bankruptcy Court, Clerks Office, 1100 Commerce Street Room 12A24, Dallas, TX 75242, with copies sent to Robert B. Wilson, Chapter 13 Trustee, 6308 Iola, Lubbock, TX, 79424 and Debtor(s) Attorney at the above address.

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:

Cynthia Ruth Barton § CASE NO. 14-70009-hdh-13
§
§ HEARING DATE: 8/20/2014
DEBTOR(s) § HEARING TIME: 10:00 A.M.

FIRST MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: 06/25/2014

Pursuant to 11 USC 1329, the Debtor(s) (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor(s) Confirmed Plan herein:

I. HISTORY OF THE CASE

1. Date Case Filed: 1/16/2014
2. Date of Section 341 Meeting: 2/21/2014
3. First Payment Date: 2/15/2014
4. Date of Confirmation: 3/18/2014
5. Total Plan Term Prior to this Modification: 36
6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 6
7. Remaining Plan Term (subtract item 6 from the lesser of item 5 or 60 months): 54 (in modified plan)
8. Amount of Arrears through the month prior to the date the Modification is filed: NONE
9. Date plan payments are to resume: 8/15/2014
10. Total Payments Paid to the Trustee through the month prior to the date the Modification is filed with the clerk: \$760.00
11. Total payments due to the Trustee through the month prior to the date the Modification is filed with the clerk: \$760.00
12. Total Payments Due to the Trustee from the month the Modification is filed to the month the Modification is set for approval: \$380.00
13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders:

NONE

II. MODIFICATION REQUESTED

(CHECK 1 OR MORE OF THE FOLLOWING 4 CHOICES)

- INCREASE monthly payment from \$190.00 per month to \$790.00 per month
(must coincide with resume date shown in item 9 above)
- Extend months from 36 to 60 months (not to exceed 60 calendar months from
month of First Payment Date)

Any arrears indicated in item 8 above shall be cured by the following method: N/A

III. RESUMPTION OF PAYMENTS TO THE TRUSTEE

(All information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$790.00 will resume on or before 8/15/2014 for 54 (in modified plan) months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount will change from \$ 6,840.00 to \$43,800.00

If the base amount has changed complete the following:

- | | |
|---|--------------------|
| 1. Total Paid in as of the month prior to Modification Approval: | \$ 1,140.00 |
| 2. (+)Plus Total Payments to be made through the Remainder of Plan: (Making up any arrears in item 9 above) | \$42,660.00 |
| 3. (=) New Base Amount | <u>\$43,800.00</u> |

IV. TREATMENT OF UNSECURED CREDITORS

Unsecured creditors are not guaranteed a dividend when a plan is confirmed. See general order 2007-2. Allowed general unsecured claims may receive a pro-rata share of the unsecured creditors' pool, but not less than the section 1325(a)(4) amount of non-exempt property less allowed administrative and priority claims, after the TRCC becomes final. A proof of claim must be timely filed to be allowed.

X The unsecured creditor pool remains \$0.

V. SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class

Unsecured Creditor(s):

C/D;A=ADD;D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT = CHANGE TO

| | | | | |
|----|----------------------------|-------------------|--------------------------------|--------------------|
| CF | S-Toyota Motor Credit Corp | 2013 Toyota Camry | \$29,209.98 | Paid Direct |
| | | | | |
| CT | " | " | \$29,209.98 @6.65% interest | \$627.38 per month |

Note: Changes to any creditors above shall not be effective until the Modification is approved.

VI. ATTORNEY FEES

Debtor's attorney shall be allowed an additional fee for this Modification in the total amount of \$350.00 plus \$50.00 in costs, of which \$400.00 will be paid through the Plan by the Trustee;

VII. REASON FOR MODIFICATION

This modification is requested for the following reason(s): Debtor wishes to pay Toyota Motor Credit Corp debt on 2013 Toyota Camry through the Chapter 13 plan.

VIII. BUDGET INFORMATION

At the time of filing this modification the debtor shall provide a filed marked copy of the current budget (schedules I & J) and the three most recent pay stubs to the Trustee.

See Amended Schedule J on file with the Court.

Respectfully submitted,

/s/Monte J. White
Attorney for Debtor(s)

CERTIFICATE OF SERVICE

I certify that a true copy of the above and foregoing Modification of Plan after Confirmation, Notice of Hearing and Pre-Hearing Conference has been served by me on 06/25/2014, on all parties on the attached matrix, by United States First Class Mail, proper postage affixed.

/s/Monte J. White
Attorney for Debtor(s)

Label Matrix for local noticing

1100 Commerce Street

ACS-Panhandle Plains

0539-7

Room 1254

501 Bleeker St

Case 14-70009-hdh13

Dallas, TX 75242-1305

Utica, NY 13501-2401

Northern District of Texas

Wichita Falls

Wed Jun 25 11:20:47 CDT 2014

AES-Bank of America

PO Box 2461

Harrisburg, PA 17105-2461

Abilene Teachers FCU

PO Box 5706

Abilene, TX 79608-5706

Advance America

2710 Central Freeway No. 130

Wichita Falls, TX 76306-2856

Allied Interstate
3000 Corporate Exchange Dr-5th Fl
Columbus, OH 43231-7723American InfoSource LP as agent for
Midland Funding LLC
PO Box 268941
Oklahoma City, OK 73126-8941Asset Acceptance
Att: Bankruptcy Dept
PO Box 2036
Warren, MI 48090-2036Asset Acceptance LLC
Po Box 2036
Warren MI 48090-2036Atlas Acquisitions LLC
294 Union St.
Hackensack, NJ 07601-4303CBSA
AttN: Bankruptcy
PO Box 1927
Stillwater, OK 74076-1927CMRE Financial Services Inc.
3075 E. Imperial Hwy No. 200
Brea, CA 92821-6753Capital One
PO Box 30285
Salt Lake City, UT 84130-0285Calvary Investments, LLC
500 Summit Lake Drive, Ste 400
Valhalla, NY 10595-1340Collectech Diversified
PO Box 12027
Lubbock TX 79452-2027Credit Sys Intern-Abilene Family Med
1277 Country Club
Fort Worth, TX 76112-2304ECMC
PO BOX 16408
ST PAUL, MN 55116-0408(p) INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346Lacks Furniture
1600 NE Loop 410, 112
San Antonio, TX 78209-1612MCI
CAS Dept
500 Technoloty Dr
Saint Charles, MO 63304-2225MERRICK BANK
Resurgent Capital Services
PO Box 10368
Greenville, SC 29603-0368Merrick Bank
Attn: Bankruptcy
PO Box 9201
Old Bethpage, NY 11804-9001Midland Funding
8875 Aero Dr
San Diego, CA 92123-2255NCO Financial
PO Box 15636
Wilmington, DE 19850-5636NCP Finance Limited Partnership
2005 Sugar Camp Circle Dept CNG
Dayton, OH 45409NCP Finance Limited Partnership
205 Sugar Camp Circle Dept AEA
Dayton, OH 45409-1970NRTHN Resolution
PO Box 566
Amherst, NY 14226-0566Nelnet Inc.
Attn: Claims
PO Box 17460
Denver, CO 80217-0460Nelnet on behalf of ECMC-CA
PO Box 419026
Rancho Cordova CA 95741-9026

PANHANDLE PLAINS on behalf of Texas Guarantees
 Texas Guaranteed Student Loan Corporatio
 P.O. Box 83100
 Round Rock, TX 78683-3100

(p) PORTFOLIO RECOVERY ASSOCIATES LLC
 PO BOX 41067
 NORFOLK VA 23541-1067
 Primary Financial Service
 Pentagroup Financial
 5959 Corporate Dr, Suite 400
 Houston, TX 77036-2308

Royal Mgt-Noble Finance
 25331 1H 10 West
 San Antonio, TX 78257

SFC-Central Bankruptcy
 P.O. Box 1893
 Spartanburg, S.C. 29304-1893

SGS Finance
 1021 Main St, Suite 1150
 Houston, TX 77002-6502

SPEEDY CASH
 PO BOX 780408
 WICHITA KS 67278-0408

Security Finance
 PO Box 1893
 Spartanburg, SC 29304-1893

Service Bureau Inc.
 2705 81st St.
 Lubbock, Texas 79423-2229

Speedy Cash
 3527 N. Ridge Rd
 Wichita, KS 67205-1212

(p) TOYOTA MOTOR CREDIT CORPORATION
 PO BOX 8026
 CEDAR RAPIDS IA 52408-8026

Toyota Motor Credit Corporation (TMCC)
 PO BOX 8026
 Cedar Rapids, Iowa 52408-8026

US Department of Education
 Claims Filing Unit
 PO Box 8973
 Madison, WI 53708-8973

US Dept of Education
 PO Box 7860
 Madison, WI 53707-7860

United Regional
 Attn: Billing Dept.
 1600 11th Street
 Wichita Falls, TX 76301-4388

United States Trustee
 1100 Commerce Street
 Room 976
 Dallas, TX 75242-0996

West Central TX Collection
 1007 W Illinois Ave
 Midland, TX 79701-6155

West Central Tx Coll B-Radiology
 PO Box 2586
 Abilene, TX 79604-2586

Western Shamrock Corp
 Attention: Bankruptcy
 801 S Abe St
 San Angelo, TX 76903-6735

Cynthia Ruth Barton
 3919 Barnett Rd Apt 324
 Wichita Falls, TX 76310-1728

Monte J. White
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 1106 Brook Avenue
 Hamilton Place
 Wichita Falls, TX 76301-5009

Robert B. (AB-AM-SA-WF) Wilson
 6308 Iola Avenue
 Lubbock, TX 79424-2735

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

IRS Special Procedures
 1100 Commerce St., Room 951
 Mail Stop 5029 DAL
 Dallas, TX 75246

Portfolio Recovery Associates, LLC
 c/o Capital One
 POB 41067
 Norfolk VA 23541

Toyota Financial Services
 PO Box 650686
 Dallas, TX 75265-0686

End of Label Matrix

Mailable recipients 51

Bypassed recipients 0

Total 51